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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,392	10/16/2000	Thomas C. Naratil	74622-015	2870

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EXAMINER

HAMILTON, LALITA M

ART UNIT PAPER NUMBER

3624

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/688,392

Applicant(s)

NARATIL, THOMAS C.

Examiner

Lalita M. Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Summary

On June 10, 2005, an Office Action was sent to the Applicant rejecting claims 1-3, 5-16, and 18-19. On November 10, 2005, the Applicant responded. On January 19, 2006, a Notice of a Non-responsive amendment was sent to the Applicant. On January 26, 2006, the Applicant responded by amending claims 1, 12, 16, and 19.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-16, and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaminsky (2002/0082967).

Kaminsky discloses a system and corresponding method for trading securities comprising trading taxable and non-taxable securities (can be any type of security), an updatable offering inventory module for tracking and displaying securities offerings and information including at least one response to a request for a quotation (RFQ), and a price discovery module for forwarding at least one RFQ from a sender to at least one dealer, wherein the sender comprises one of a first user and a second user acting on behalf of the first user, receiving at least one dealer response to the RFQ, and

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executing a trade based on one of a best RFQ response and an improvement to a best RFQ response, wherein the system makes the at least one dealer response available to the second user and allows the second user to improve the best RFQ response to execute the trade based thereon as a principal and determines an execution price and yield for the securities offerings for which the trade has been executed (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); an internal module which affords internal users access to the offering inventory module and price discovery module (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); the securities offerings and information in the offering inventory module is automatically updated (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); the at least one dealer receiving the RFQ is pre-determined by the sender (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); selected users can view all of the RFQ responses in the offering inventory module (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); non-selected users can only view a best RFQ response in the offering inventory module (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); the price discovery module includes a time management system (p.7-8, 108); means for setting a first time limit that determines an amount of time for the at least one dealer to respond to the requests, means for setting a second limit that determines an amount of time for the sender of a request to decide whether to accept a dealer's response, and means for setting a third time limit that determines an amount of time, after the second time limit has passed, for the sender to inquire whether the response is still valid (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); a pricing proof system for determining the best response for a security (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); the securities offering and

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information offering in the offering inventory module is manually updated (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); a computerized workstation for communicating trade information, an updatable offering inventory module for tracking and displaying securities offerings and information including at least one response to a request for a quotation (RFQ), a price discovery module for forwarding at least one RFQ from a sender to at least one pre-determined dealer and receiving at least one response thereto, wherein the sender comprises one of a first user and a second user acting on behalf of the first user, and an internal module for internal users to access to the offering inventory module and price discovery module, wherein the system makes the at least one dealer response available to the second user, allows the second user to improve the best RFQ response to execute a trade based thereon as a principal, and executes a trade pursuant to one of a best RFQ and an improvement to a best RFQ response and determines an execution price and yield for the securities offerings for which the trade that has been executed (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); means for setting a first time limit that determines an amount of time for the at least one dealer to respond to the requests, means for setting a second time limit that determines an amount of time for the sender of a request to decide whether to accept a dealer's response, and means for setting a third time that determines an amount of time, after the second time limit has passed, for the sender to inquire whether the response is still valid (p.7-8, 108—can set any time); information in the offering inventory database is automatically updated (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); the securities offerings and information in the offering inventory database is manually updated (p.2,

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21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); storing information pertaining to securities available for trading including at least one response to a request for a quotation (RFQ), sending a request for an RFQ from a sender to at least one pre-determined dealer, wherein the sender comprises one of a first user and a second user acting on behalf of the first user, receiving at least one dealer response to the RFQ, and executing a trade based on an improvement to a best dealer response to the RFQ, wherein the at least one dealer response is made available to the second user that improves the best RFQ response to execute the trade based thereon as a principal and the securities for which the trade has been executed have a price and yield that are calculated when the trade is executed (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85); first user comprises a financial executive and wherein the second user comprises a trader (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85-anyone can use the system); and sending a request for a quotation (RFQ) from a sender to at least one dealer, wherein the sender comprises one of a first user and a second user acting on behalf of the first user, receiving at least one response to the RFQ from the at least one dealer, and executing a trade based on one of a best dealer response to the RFQ and an improvement to the best dealer response to the RFQ, wherein the at least one dealer response is made available to the second user that improves the best RFQ response to execute the trade based thereon as a principal and the securities for which the trade has been executed have a price and yield that are calculated when the trade is executed (p.2, 21; p.3, 27-31; p.4, 40-46; p.6, 77 to p.7, 85).

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-16, and 18-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LMH

LAURA M. HAMILTON, §624
PRIMARY EXAMINER